

Department: Self-Governing Agencies

Sponsor(s): Johnson

Division/Program: Public Defense Commission

Description: Reversion Correction

**1. Background:**

The agency was provided onetime reappropriation authority for FY 2020 for any unexpended trustee and benefit payments allocated for extraordinary litigation costs (ELC) in FY 2019, for which the agency has an ongoing appropriation of \$423,100 from the General Fund. Rather than reappropriating **only the unused ELC funding** (\$233,200) from FY 2019, the State Controller processed the reappropriation of **all** unused trustee and benefit payments (\$343,500). The adjustment requested and recommended, below, accounts for the amount that should have otherwise been reverted at the end of FY 2019.

Further, after accounting for final amounts that have been distributed to counties, as well as the maximum amounts that can potentially be expended pursuant to law, the agency expects to revert **at least** an additional \$925,700 in trustee and benefit payments at the end of FY 2020.

**2. FY 2020 Request/Governor's Recommendation:**

Fund	Type	OT	FTP	PC	OE	CO	TB	LS	Total
0001-00	Gen	✓	0.00	0	0	0	(110,300)	0	(110,300)
<b>Total</b>			<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(110,300)</b>	<b>0</b>	<b>(110,300)</b>

**3. Current Needs:**

Fund	Type	OT	FTP	PC	OE	CO	TB	LS	Total
0001-00	Gen	✓	0.00	0	0	0	(1,036,000)	0	(1,036,000)
<b>Total</b>			<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(1,036,000)</b>	<b>0</b>	<b>(1,036,000)</b>

**4. Actions:**

- a. Reopen FY 2020 Budget:** Requires unanimous consent or 2/3 majority to reopen.

*"I request unanimous consent to reopen the fiscal year 2020 budget for the Public Defense Commission."*

**b. Motion 1:**

"I move for fiscal year 2020, for the Public Defense Commission, the reduction of \$1,036,000 in onetime trustee and benefit payments from the General Fund."

**c. Discussion:**

*"This motion removes amounts that should have been reverted at the end of FY 2019, and thereby corrects the FY 2020 appropriation. It also removes unobligated amounts that will otherwise be reverted at the end of FY 2020. "*